



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 28, 1999

Daniel M. Doyle  
c/o Danka Office Imaging Company  
11201 Danka Circle North  
St. Petersburg, FL 33716

RE: MUR 4434

Dear Mr. Doyle:

On July 20, 1999, the Federal Election Commission ("Commission") found that there is reason to believe you knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), during the 1994 and 1996 election cycles. The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of the 1994 election cycle aspects of this matter prior to findings of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved regarding the 1994 election cycle activity.

If you are interested in expediting the resolution of the 1994 aspects of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to findings of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. The 1996 election cycle activity would still need to be addressed, however.

In the alternative, you may wish to deal with all aspects of this matter, both the 1994 and 1996 election cycle activity, at the same time. In light of possible statute of limitations issues as to the 1994 election cycle activity, however, you must waive application of the statute of limitations regarding the 1994 election cycle activity. Such a waiver should be submitted within 15 days of your receipt of this letter. Absent receipt of such a waiver or a signed conciliation agreement in the near future regarding the 1994 election cycle activity, this Office will proceed to the next stage of the enforcement process regarding that activity.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Daniel M. Doyle

MUR: 4434

**I. GENERATION OF MATTER**

This matter was generated by the Federal Election Commission in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

**II. FACTUAL AND LEGAL ANALYSIS**

Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$1,000. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person.

Mark Sharpe for Congress reported the receipt of a contribution from Daniel M. Doyle of Danka Industries in the amount of \$1,000 on October 28, 1994. Mark Sharpe for Congress reported the receipt of a contribution in the amount of \$1,000 from Ann Galatro, Mr. Doyle's secretary, on October 29, 1994. According to Ms. Galatro, Mr. Doyle reimbursed Ms. Galatro for this contribution. Given that such an effort occurred at the same time as Mr. Doyle's own \$1,000 contribution to Mark Sharpe for Congress, it appears that Mr. Doyle was aware of the statutory limitation on personal contributions, and purposefully attempted to evade it.

In addition, records on file with the Commission show that, during the 1996 election cycle, Alexander for President, Inc. reported receiving contributions from Mr. Doyle, Ms. Galatro, and an individual named Daniel M. Doyle, Jr., on the same date, March 28, 1995,

each in the amount of \$1,000. This was Ms. Galatro's only contribution during the 1996 election cycle, and these circumstances suggest that she was again reimbursed for her contribution by Mr. Doyle. The fact that an individual who appears to be Mr. Doyle's son also appears to have made the maximum contribution to Alexander for President, Inc. on the same date also suggests that a reimbursement may have taken place. In addition, Alexander for President, Inc. reported receiving the maximum individual contribution, \$1,000, from each of four other Danka employees, Robert J. Arenth, Beth A. Scicolone, Paul T. Kattmann and R. Paul Umberg, on or about November 2, 1995.<sup>1</sup> None of these four individuals made any other contribution during that election cycle or the previous two election cycles. Such circumstances suggest that these contributions may have been reimbursed by Mr. Doyle as well.

Therefore, there is reason to believe that Daniel M. Doyle knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

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<sup>1</sup> Three of these contributions were reported as being received on November 2, 1995. The remaining contribution was reported as being received on October 30, 1995.